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JOHN G. PETERSON
PETERSON AND BRYNAN
8530 Wilshire Boulevard, Suite 407
Beverly Hills, California 90211
(213) 659-9965

Attorneys for Plaintiff and Cross-Defendant
CHURCH OF SCIENTOLOGY OF CALIFORNIA

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY OF CALIFORNIA, a California Corporation,)	Case No. C 420153
)	(Severed Action)
Plaintiff,)	DECLARATION SUPPORTING
)	ISSUANCE OF SUBPOENA DUCES
v.)	TECUM RE: DEPOSITION OF
)	MICHAEL DOUGLAS
GERALD ARMSTRONG, et al.,)	
)	
Defendants.)	
<hr/>		
AND RELATED CROSS-ACTION.)	
<hr/>		

I, John G. Peterson, do hereby declare as follows:

1. I am one of the attorneys of record herein for Cross-Defendant Church of Scientology of California. As such I have personal knowledge of the facts stated herein and, if called as a witness, could and would testify competently thereto.

2. I believe that Michael Douglas has in his possession or under his control, the following documents, records and/or physical evidence:

(a) documents relating or referring to correspondence, discussions, meetings or telephone conversations between Mr. Douglas and Gerald Armstrong and/or Michael J. Flynn;

1 (b) documents concerning, relating or referring to the
2 history, background, health, financial status and/or
3 credentials of L. Ron Hubbard, specifically including but not
4 limited to any incomplete or draft manuscripts of books or
5 articles;

6 (c) documents concerning, relating or referring to
7 the history, activities, goals, and/or purposes of the Church
8 of Scientology including, but not limited to, documents
9 reflecting the corporate status of any Scientology-affiliated
10 organization;

11 (d) documents or correspondence concerning, relating
12 or referring to the above-captioned litigation, including, but
13 not limited to, all documents introduced or admitted during the
14 May 1984 trial of said litigation;

15 (e) documents sent to or received from Gerald Armstrong
16 by the witness between October 1969 and the present, including
17 any tape recordings or transcriptions thereof;

18 (f) documents in the possession or control of the witness
19 which he knows or believes come from and/or are contained in
20 the LRH Archives of the Church;

21 (g) photographs or negatives or copies of either
22 which depict L. Ron Hubbard and which are in the witness'
23 possession, custody or control; and

24 (h) documents sent to or received from Michael
25 Flynn, Julia Dragojevic, the law firm of Contos & Bunch, or the
26 law firm of Flynn & Joyce concerning Gerald Armstrong, L. Ron
27 Hubbard, Mary Sue Hubbard, any Church of Scientology or the
28 religion of Scientology.

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3. Said documents, records and/or physical evidence are material to the issues in this case because Gerald Armstrong's Third Amended Cross-Complaint contains causes of action relating to L. Ron Hubbard's background, accomplishments and activities in the Church of Scientology; the activities, history, corporate establishment, goals and purposes of the Churches of Scientology; and Armstrong's own experiences in the Church of Scientology. Furthermore, Armstrong has represented in deposition and in responses to written discovery that Michael Douglas has personal knowledge of facts material to his claims.

4. Good cause exists to require the person named above to produce the documents, records and/or physical evidence described above, in that it is necessary that I inspect and/or copy same in order to prepare this case effectively for trial and in order to prevent surprise at trial. There is no alternative source for such information and no alternative means to obtain inspection and copying thereof.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 9th day of October, 1986 in Los Angeles, California.


JOHN G. PETERSON

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): JOHN G. PETERSON PETERSON & BRYNAN 8530 Wilshire Blvd. Beverly Hills, CA 90211 ATTORNEY FOR (NAME): CHURCH OF SCIENTOLOGY OF CALIFORNIA	TELEPHONE:	FOR COURT USE ONLY
Insert name of court, judicial district or branch court, if any, and post office and street address: SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF LOS ANGELES 111 N. Hill St., Los Angeles, CA 90012		
PLAINTIFF: CHURCH OF SCIENTOLOGY OF CALIFORNIA		
DEFENDANT: GERALD ARMSTRONG		
CIVIL SUBPENA <input checked="" type="checkbox"/> DUCES TECUM <input type="checkbox"/> COURT <input checked="" type="checkbox"/> DEPOSITION <input type="checkbox"/> OTHER (specify):	CASE NUMBER: C 420153	

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME): MICHAEL DOUGLAS

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action as follows unless you make a special agreement with the person named in item 3:

a. Date: October 30, 1986 Time: 10:00 a.m. Dept.: Div.: Room:
b. Address: Pat Callan & Associates, 337 17th St. Suite 100, Oakland, CA 94612

2. and you are

- a. ordered to appear in person.
b. not required to appear in person if you produce the records described in the accompanying affidavit in compliance with Evidence Code sections 1560 and 1561.
c. ordered to appear in person and to produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized pursuant to subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with this subpoena.
d. ordered to designate one or more persons to testify on your behalf as to the matters described in the accompanying statement. (Code of Civil Procedure section 2019(a)(6).)

3. IF YOU HAVE ANY QUESTIONS ABOUT WITNESS FEES OR THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE ATTORNEY REQUESTING THIS SUBPENA, NAMED ABOVE, OR THE FOLLOWING PERSON, BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name: _____ b. Telephone number: _____

4. **WITNESS FEES:** You are entitled to receive witness fees and mileage actually traveled, as provided by law, if you request them **BEFORE** your scheduled appearance. Request them from the person named in item 3.

5. If this subpoena requires your attendance at proceedings out of court and you refuse to answer questions or sign as required by law, you must attend a court hearing at a time to be fixed by the person conducting such proceedings.

6. You are ordered to appear in this civil matter in your capacity as a peace officer or other person described in Government Code section 68097.1.

Date: _____ Clerk of the Court, by _____, Deputy

DISOBEDIENCE OF THIS SUBPENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.



Dated:

Frank S. Zolin

(Signature of person issuing subpoena)

FRANK S. ZOLIN
(Type or print name)

County Clerk/Executive Officer of the Superior Court.
(Title)

(See reverse for proof of service)

25A

Form Adopted by Rule 982
Judicial Council of California
Revised Effective January 1, 1982

CIVIL SUBPENA

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RC095

835-3993